

TESTIMONY REGARDING
HOUSE BILL 150 - THE MONTANA RECREATION RESPONSIBILITY ACT
BEFORE THE
SENATE JUDICIARY COMMITTEE
BY
TED HARVEY
THE BAR W GUEST RANCH - WHITEFISH, MONTANA
MARCH 9, 2009

Good morning Chairman Perry and Members of the Committee:

My name is Ted Harvey, and I am the General Manager of the Bar W Guest Ranch in Whitefish, Montana. We are a small dude ranch with about 25 guests per week. Our guest activities include trail riding, cattle work, horsemanship lessons, horse drawn wagon rides, skeet shooting, fishing, and canoeing.

Our number one business mission is the safety of our guests and we go to great lengths and cost to ensure that. Our number two objective is to see that they have the very best possible vacation experience and want to return to Montana. As the General Manager, I accept full responsibility for doing everything possible to achieve these goals, including training staff, as well as setting and ensuring adherence to ranch policies.

The Bar W Ranch supports house Bill 150, because it will provide protection from law suits based on inherent risk of activities rather than action based on negligence.

I am here today to lend support to HB 150 and respectfully request that you pass this through Committee for vote on the Senate floor. Especially during these difficult economic times, I would hope that you would vote to pass this bill, that will prevent frivolous suits that could cripple or bankrupt tourism based business like ours.

We aren't attempting to shrug away from our responsibility. We are simply asking that it be the judges who consider whether an injury, death or damage is a result of the inherent risk of the activity before a lawsuit is allowed to go to trial.

Thank you for your time and consideration.